## Case3:11-cv-01318-EMC Document27 Filed12/01/11 Page1 of 2

```
MIGUEL MÁRQUEZ, County Counsel (S.B. #184621)
 1
      MELISSA R. KINIYALOCTS, Deputy County Counsel (S.B. #215814)
      OFFICE OF THE COUNTY COUNSEL
 2
      70 West Hedding, East Wing, 9th Floor
      San Jose, California 95110-1770
 3
      Telephone: (408) 299-5900
 4
      Facsimile: (408) 292-7240
 5
      Attorneys for Defendants
      SHERIFF LAURIE SMITH and
      COUNTY OF SANTA CLARA
 6
 7
 8
                               UNITED STATES DISTRICT COURT
                        FOR THE NORTHERN DISTRICT OF CALIFORNIA
 9
                                          (San Francisco)
10
      TOM SCOCCA, MADISON SOCIETY, )
11
                                                No.
                                                      CV11-01318 EMC
      INC., and THE CALGUNS
                                                STIPULATION AND [PROPOSED] ORDER
12
      FOUNDATION, INC.,
                                                TO CONTINUE HEARING ON
            Plaintiffs,
13
                                                DEFENDANTS' MOTION TO DISMISS
14
      v.
15
      SHERIFF LAURIE SMITH (In her
      individual and official capacity.),
16
      COUNTY OF SANTA CLARA, and
      DOES 1 to 20,
17
            Defendants.
18
           On November 28, 2011, the United States Court of Appeals for the Ninth Circuit granted
19
20
      en banc review of Nordyke v. King, Case No. 07-15763. The Nordyke case involves Second
21
      Amendment issues that may be relevant to issues raised in the pending motion to dismiss in the
22
      above-captioned action. The parties would like additional time to evaluate the issues and make
      a determination about whether to seek a stay of this matter in light of the pending en banc
23
24
      review in Nordyke. Accordingly, the parties stipulate to continue the hearing on the pending
25
      motion to dismiss to January 6, 2012, at 1:30 p.m.
26
     //
27
     //
28
      //
```

## 

1	I hereby attest that I have on file all holograph signatures for any signatures indicated by a
2	"conformed" signature (/S/) within this efiled document.
3	MIGUEL MÁRQUEZ County Counsel
4	County Counsel
5	Dated: December 1, 2011  By: /S/  MELISSA R. KINIYALOCTS
6	Deputy County Counsel
7	Attorneys for Defendants SHERIFF LAURIE SMITH AND
8	COUNTY OF SANTA CLARA
9	
10	LAW OFFICES OF DONALD KILMER
11	
12	Dated: December 1, 2011  By: /S/  DONALD E.J. KILMER, JR., ESQ.
13	Attorneys for Plaintiffs
14 15	TOM SCOCCA, MADISON SOCIETY, INC., and THE CALGUNS FOUNDATION, INC.
16	TOUNDATION, INC.
17	
18	ORDER
19	Pursuant to the Stipulation of the parties the Motion to Dismiss is hereby continued to
20	January 6, 2012 at 1:30 p.m.
21	STALL
22	Dated: Dated: IT IS SO ORDERED DM. CHEN
23	TIT IS SO ORD DM. CHEN urt Lidge
24	Z A Chen Z
25	Judge Edward A
26	PRIV DISTRICT OF CE
27	DISTRICTOR
28	503643.wpd

MIGUEL MÁRQUEZ County Counsel County of Santa Clara San Jose, California